

# Boyer

4 January 2018  
Our Ref: 16.5001

Ben Farrant  
Planning (Development Management)  
London Borough of Camden  
5 Pancras Square  
London N1C 4AG



Dear Mr Farrant

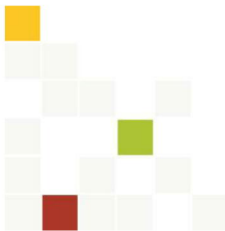
**Re: 3 Trinity Close, NW3 1SD**  
**Application reference 2017/6507/P**

We write on behalf of the owners/occupiers of 1 Trinity Close NW3 1SD to **object** to proposals submitted via planning application reference 2017/6507/P, being:

*Installation of 1 x rooflight*

The main grounds for objection are that the proposed rooflight would enable harmful overlooking and loss of privacy to habitable room windows at the adjoining 1 Trinity Close. The rooflight would also enable overlooking and loss of privacy to windows at nearby 2a, 2 and 4 Willoughby Road, and the six flats at Essex Court (2-6 Hampstead High Street).

The most affected windows are the south-facing first-floor level living room windows at 1 Trinity Close indicated by red dots on the photo extract below.



These windows are below the level of the proposed rooflight and therefore susceptible to overlooking from the level of the proposed rooflight. The photo extract below shows the clear view from the affected windows to the proposed rooflight location.



We recognise that there is an existing rooflight at 2 Trinity Close, but the acute angle between that rooflight and the potentially affected windows is such that no overlooking occurs. The proposed rooflight is at a much more oblique angle and would enable significant overlooking and loss of privacy to the living room at 1 Trinity Close.

It is essential to recognise that the proposed drawings that accompany the application are also incorrect. They show a finished floor level at second floor level that is lower than is actually present having been recently constructed. The drawings therefore indicate less potential for overlooking than is actually the case; the potential angle of overlooking is much more severe from the higher actual floor level. We insist that the floor level of the property is examined in detail to properly understand the potential for overlooking and loss of privacy.

The loss of privacy caused by the rooflight would conflict directly with adopted Camden Local Plan Policy A1 (Managing the impact of development). The policy recognises that standards of amenity are major factors in the health and quality of life of the borough's residents, and fundamental to Camden's attractiveness and success. Amenity is a particularly important issue within the borough. Policy A1 therefore seeks to ensure that standards of amenity are protected.

Accordingly, the policy states that the Council will seek to protect the quality of life of occupiers and neighbours, and will not grant permission for development that causes unacceptable harm to amenity. Policy A1(a) seeks to ensure that the amenity of communities, occupiers and neighbours

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is protected. The factors the Council will consider in determining the impact on amenity include (A1(e)) visual privacy.

Camden Planning Guidance 6 (CPG 6) (Amenity) is also relevant. The CPG states that development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree. Spaces that are overlooked lack privacy. Therefore, new windows *inter alia* should be carefully designed to avoid overlooking. The degree of overlooking depends on the distance and the horizontal and vertical angles of view. The most sensitive areas to overlooking are:

- Living rooms;
- Bedrooms;
- Kitchens; and
- The part of a garden nearest to the house.

In this case the angle and distance of overlooking is such that a clear view could be obtained from the rooflight to the important living room windows, as well as portions of the garden nearest the house.

The rooflight would at the very least create a sense of overlooking to the living room windows, upsetting the calm and private environment that is currently enjoyed within it.

The loss of privacy caused by the proposed development cannot be considered to be outweighed by any public benefit or need since the proposed development would confer only the most minimal benefit to the occupier of the property.

We therefore seek that the application is refused.

We look forward to hearing from you and would welcome any update you can provide us on progress on the application.

Yours sincerely,

**Grant Leggett**  
**Director, Head of Boyer London**



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